

## **REMARKS**

### **Claim Rejections**

Claims 1-4, 6-7, 9-10, 12, 14-16, 18-25 and 28 stand rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent No. 5,470,079 (LeStrange et al.) and U.S. Patent Publication No. US2002/0152120A1 (Howington). Claims 5, 8, 13, 26-27 and 29 stand rejected under 35 U.S.C. 103(a) as unpatentable over LeStrange et al., Howington and U.S. Patent Publication No. US2003/0069071A1 (Britt et al.) Claim 11 stands rejected under 35 U.S.C. 103(a) as unpatentable over LeStrange et al., Howington and U.S. Patent Publication No. US2002/0187834A1 (Rowe et al.).

### **The Cited Art**

LeStrange et al. discloses a game machine accounting and monitoring system which includes a game monitoring unit 16, a computer network interface 18, and a central or host computer system 20. (Col. 5, lines 6-9). The accounting system can support accounting of multiple games within a single gaming machine. (Col. 11, lines 59-62). As such, when a game change event 45 occurs, the game monitoring unit 16 transmits a game change message to the host computer 20. The meter data that accompanies that message represents the last meter values for the previous game. (Col. 12, lines 17-20).

Howington discloses a casino resort management system that provides a location identifier for each location within a casino, a placard identifier for each placard and a machine identifier for each gaming machine. (¶006). A placard indicates the machine brand, model and the denomination that a machine accepts (i.e., quarters or nickels). (¶004). As shown in FIG. 2, the placard identifier includes a placard number “042052” used to denote a machine code, for example, “04”, that indicates a quarter slot machine, and a machine number “2052” that identifies a single machine with this particular denomination. (¶0026). This system maintains and tracks machines and location history in a manner which allows for the changing of machine placards without losing historical machine or location information. (¶0028). The system includes a sample system display 400 which displays, among other things, the location identifier, the placard identifier, and the denomination for a particular machine. (¶0029). The individual machines are not configured to operate with multiple denominations. (FIGS 2 and 4; ¶004, ¶0026, and ¶0029).

Britt et al. discloses an entertainment monitoring system 100 and method 200 for use in a gaming environment. The entertainment monitoring system includes a plurality of electronic gaming machines 102. (¶0087).

### **Applicants' Claimed Invention Would Not Have Been Obvious**

Three criteria must be met to establish obviousness. First, the prior art must provide one of ordinary skill in the art with a suggestion or motivation to modify or combine the teachings of the references relied upon in rejecting the claims. Second, the prior art must provide one of ordinary skill in the art with a reasonable expectation of success. Third, the prior art, either alone or in combination, must teach or suggest each and every limitation of the rejected claims. The teaching or suggestion to make the claimed invention, as well as the reasonable expectation of success, must come from the prior art and not from Applicants' disclosure. If any one of these criteria is not met, a case of obviousness is not established.

Applicants' claimed accounting system of amended claim 1, for instance, calls for a receiver for collecting first meter information from a first unique combination of a game and a denomination in a single game unit, and for collecting second meter information from a second unique combination of a game and a denomination in the single game unit. The accounting system includes a database for storing the collected information and a calculator structured to generate the following information from the collected information for the unique combinations in the single game unit: slot handle, slot win, individual game hold percentage, machine hold percentage and actual game hold percentage.

This accounting system can be used with multi-game, multi-denomination (MGMD) machines. These machines allow a player to select the denomination of the wager unit, the game type and the exact game pay schedule to be played. Each possible combination of denomination, game type and game pay schedule may result in a unique theoretical hold percentage and have different levels of player acceptance. Thus, an accounting system that allows for the computation and tracking of slot handle, slot win, individual game hold percentage, machine hold percentage and actual game hold percentage for each of the possible unique combinations in a single MGMD game unit is very useful. (Applicants' specification at page 2, lines 11-21; page 4, line 25 to page 6, line 12).

The accounting system of LeStrange et al. is operable with multiple-game machines. However, as noted in the Office Action, LeStrange et al. fails to disclose or suggest multi-

denomination gaming machines. Howington also fails to disclose multi-denomination gaming machines.

The casino resort management system of Howington is operable with gaming machines that play only a single game and accept only a single denomination. The denomination, for example, may be a quarter or a nickel. (¶004). As clearly shown in subwindow 402 of FIG. 4, in the column labeled “Denom”, each gaming machine accepts but one denomination, that is, nickels, quarters or dollars. A single machine does not accept nickels, quarters and dollars. Rather, it accepts only one of these denominations. (¶¶004, 0026 and 0029; FIGS.2 and 4).

The system of Howington does not deal with MGMD machines. The system is configured to provide a location identifier for each location within a casino, a placard identifier for each placard and a machine identifier for each gaming machine. (¶006). The Howington system is designed to eliminate the problems associated with using placards that are moved from one gaming machine to another or with gaming machines that are moved from one location to another. (¶¶004, 005). The system tracks a machine and location history in a manner which allows for the changing of machine placards without losing historical machine or location information. (¶0028).

The combination of LeStrange et al., which discloses multiple-game machines, and Howington, which discloses a single game machine that accepts only a single denomination, would not have rendered Applicants’ claimed invention obvious. An obviousness rejection based on the premises that “the combination of LeStrange et al. and Howington may disclose multi-denomination gaming machines, even if neither do by themselves” (Office Action of March 5, 2008, page 4), is legally incorrect. The combination of LeStrange et al. and Howington cannot collectively teach claim elements that neither of them teach individually.

Also, the interpretation of MPEP 2141.02 (V1) is inaccurate as it pertains to Howington. It is accurate to say that a disclosure of more than one alternative in a reference does not necessarily constitute a teaching away from other alternatives disclosed in the reference. (Office Action of March 5, 2008, pages 5-6). However, Howington does not disclose different possible gaming machines. Howington only discloses single denomination gaming machines.

Moreover, amended claim 1 calls for a calculator structured to generate the following information from the collected information for the unique combinations in the single game unit: slot handle, slot win, individual game hold percentage, machine hold machine percentage and actual game hold percentage. Neither LeStrange et al. nor Howington disclose an accounting

system that offers these features and has these capabilities.

**Conclusion**

In view of the foregoing, it is respectfully submitted that all the claims are now in condition for allowance. Accordingly, allowance of the claims at the earliest possible date is requested.

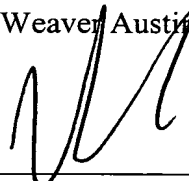
If prosecution of this application can be assisted by telephone, the Examiner is requested to call Applicants' undersigned attorney at (510) 663-1100.

If any fees are due in connection with the filing of this amendment (including any fees due for an extension of time), such fees may be charged to Deposit Account No. 504480 (Order No. IGT1P312).

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Respectfully submitted,

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